

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

March 14, 2005 LB 187, 242

SENATOR FLOOD: Mr. President, I move the adoption of the E & R amendments to LB 242.

SENATOR CUDABACK: You've heard the motion by Senator Flood, adopt E & R amendments to LB 242. All in favor of the motion say aye. Opposed, nay. The E & R amendments are adopted.

CLERK: Senator Beutler would move to amend with AM0779. (Legislative Journal page 823.)

SENATOR CUDABACK: Senator Beutler, you're recognized to open on AM0779 to LB 242.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, this amendment is, for the most part, inserting into LB 242, with the permission of Senator Schimek, LB 187, which was a small bill that came out of the Government Committee with no dissenting votes, and it had to do with the question of what latitude state senators and their employees have with respect to ballot issues and, to a lesser extent, with respect to candidates in terms of what they can say and can't say, and what they can do and can't do. And Senator Janssen, Senator Brown, Senator Schimek, others who were involved last summer on the other side of the casino issue all were kind of confused and basically felt overly restricted by the statute that we had put in place and redone a couple of years ago which severely limited what state senators can say and do and, in my opinion, and I think in the opinion of the other people who came up with these ideas that are in LB 187, unduly restricted and put at risk state senators for speaking out on ballot issues, and employees for doing those things with respect to ballot issues that senators were unclear as to what they could do. So this bill seeks to loosen the restrictions on state senators to a limited extent and, in doing that, the first thing it does is simply to set out a definition of "public resources" and what public resources are and what that means. There had been no definition in the bill, so we start out hopefully with a definition that is helpful in terms of what public resources are, what we're talking about. And then there's a section that says, this section does not permit a member of the Legislature from making use of public resources in expressing his or her opinion